### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# COMBINED DECLARATION OF INVENTORSHIP AND POWER OF ATTORNEY

Title: CAPSICUM BASED SEED COATING AND METHOD OF USE

Applicant(s): Neumann

## **Declaration of Inventorship**

I, as below named inventor, hereby declare that my residence, post office addresses and citizenship are as stated below, and that I believe that I am the original, sole inventor of the subject matter which is claimed and for which a patent is sought on the invention, this application entitled CAPSICUM BASED SEED COATING AND METHOD OF USE, is a Continuation-In-Part of U.S. Patent Application Serial No. 10/158,593 filed May 30, 2002, which is related to U.S. Provisional Application Serial No. 60/294,374 filed May 30, 2001, which is also related to U.S. Patent Application Serial No. 09/747,225 filed December 22, 2000, which is a Continuation-In-Part of U.S. Patent Application Serial No. 09/374,548 filed August 12, 1999, which is a Continuation of U.S. Patent No. 5,937,572 issued August 17, 1999, based on Application Serial No. 08/871,004 filed June 6, 1997, the specification of which is attached hereto and which has the title:

### CAPSICUM BASED SEED COATING AND METHOD OF USE

I have reviewed and understand the content of the above-identified specification, including the claims. I acknowledge a duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

### Power of Attorney

As the named inventor, I hereby appoint RAY K. SHAHANI, ESQ., ATTORNEY AT LAW, Registration No. 37,554, as attorney to prosecute this application and transact all business in the Patent and Trademark Office therewith. Send correspondence or direct telephone calls to:

> Ray K. Shahani, Esq. ATTORNEY AT LAW Twin Oaks Office Plaza 477 Ninth Avenue, Suite 112 San Mateo, California 94402-1854

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#### Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

FIRST INVENTOR Signature: Nobert

Date: 12-19-2063

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CITIZENSHIP: USA